

**MINUTE ITEM**

This Calendar Item No. C53 was approved as Minute Item No. 53 by the California State Lands Commission by a vote of 3 to 0 at its 9-17-01 meeting.

**CALENDAR ITEM  
C53**

A 4  
S 1

09/17/01  
PRC 3652 WP 3652.9  
B. Young

**TERMINATION AND ISSUANCE  
OF RECREATIONAL PIER LEASE**

**APPLICANTS:**

Samuel Ordway Mills and Mary Dalsin Mills Trustees of the Mills Family Trust  
dated August 30, 1990  
P.O. Box 774  
Diablo, CA 94528

Bruce J. Pohle and Sharon Pohle, Trustees of the Bruce J. Pohle and Sharon  
Pohle 1970 Revocable Trust  
P.O. Box 700  
Carnelian Bay, CA 96140

**AREA, LAND TYPE, AND LOCATION:**

Sovereign lands in Lake Tahoe, near Cedar Flat, Placer County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing joint-use pier, two boat lifts and four existing mooring buoys as shown on the attached Exhibit A.

**LEASE TERM:**

Ten years, beginning June 22, 2000.

**CONSIDERATION:**

No monetary consideration pursuant to Public Resources Code section 6503.5.

**SPECIFIC LEASE PROVISIONS:**

Insurance:

Liability insurance with coverage of no less than \$300,000.

Other:

This lease is conditioned on Lessee obtaining authorization from the Tahoe Regional Planning Agency (TRPA) for the mooring buoys within two years after the adoption of the Lake Tahoe Shorezone Amendments-

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Draft Environmental Impact Statement (EIS) and approval of the ordinances based on the EIS.

**OTHER PERTINENT INFORMATION:**

1. The pier that is the subject of this Calendar item is a joint use facility shared by two adjoining littoral property owners.
2. On August 26, 1997, the Commission authorized a Recreational Pier Lease to Clyde R. Gibb and Donna Joan Gibb as trustees of the Gibb 1992 U/D/T dated August 25, 1992, and Bruce J. Pohle and Sharon Pohle, Trustees of the Bruce J. Pohle and Sharon Pohle 1970 Revocable Trust for an existing joint-use pier, two boat lifts and four mooring buoys. That lease will expire on August 31, 2006. The Gibbs sold their property to Samuel and Mary Mills on June 22, 2000. Applicants qualify for a Recreational Pier Lease because they are natural persons who have improved the littoral land with, and use the upland for, a single-family dwelling. Samuel Ordway Mills and Mary Dalsin Mills Trustees of the Mills Family Trust dated August 30, 1990, and Bruce J. Pohle and Sharon Pohle, Trustees of the Bruce J. Pohle and Sharon Pohle 1970 Revocable Trust are now applying for a new Recreational Pier Lease. This Calendar Item will terminate the Recreational Pier Lease previously issued to Gibb/Pohle, and issue a new Recreational Pier Lease to Mills/Pohle for an existing joint-use pier, two boat lifts and four mooring buoys.
3. **Termination of existing lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by the CEQA and the State CEQA Guidelines.  
  
Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.
4. **Issuance of new lease:** Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; Title 2, California Code of Regulations, section 2905 (a)(2).

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Authority: Public Resources Code section 21084 and Title 14, California Code of Regulations, section 15300 and Title 2, California Code of Regulations, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

**FURTHER APPROVALS REQUIRED:**

Buoy: Tahoe Regional Planning Agency

**EXHIBIT:**

- A. Location and site map

**PERMIT STREAMLINING ACT DEADLINE:**

N/A

**RECOMMENDED ACTION:**

IT IS RECOMMENDED THAT THE COMMISSION:

**CEQA FINDING:**

**TERMINATION OF EXISTING LEASE:** FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

**ISSUANCE OF NEW LEASE (PIER):** FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES; TITLE 2, CALIFORNIA CODE OF REGULATIONS, SECTION 2905 (a)(2).

**SIGNIFICANT LANDS INVENTORY FINDING:**

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE

CALENDAR ITEM NO. **C53** (CONT'D)

LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370,  
ET SEQ.

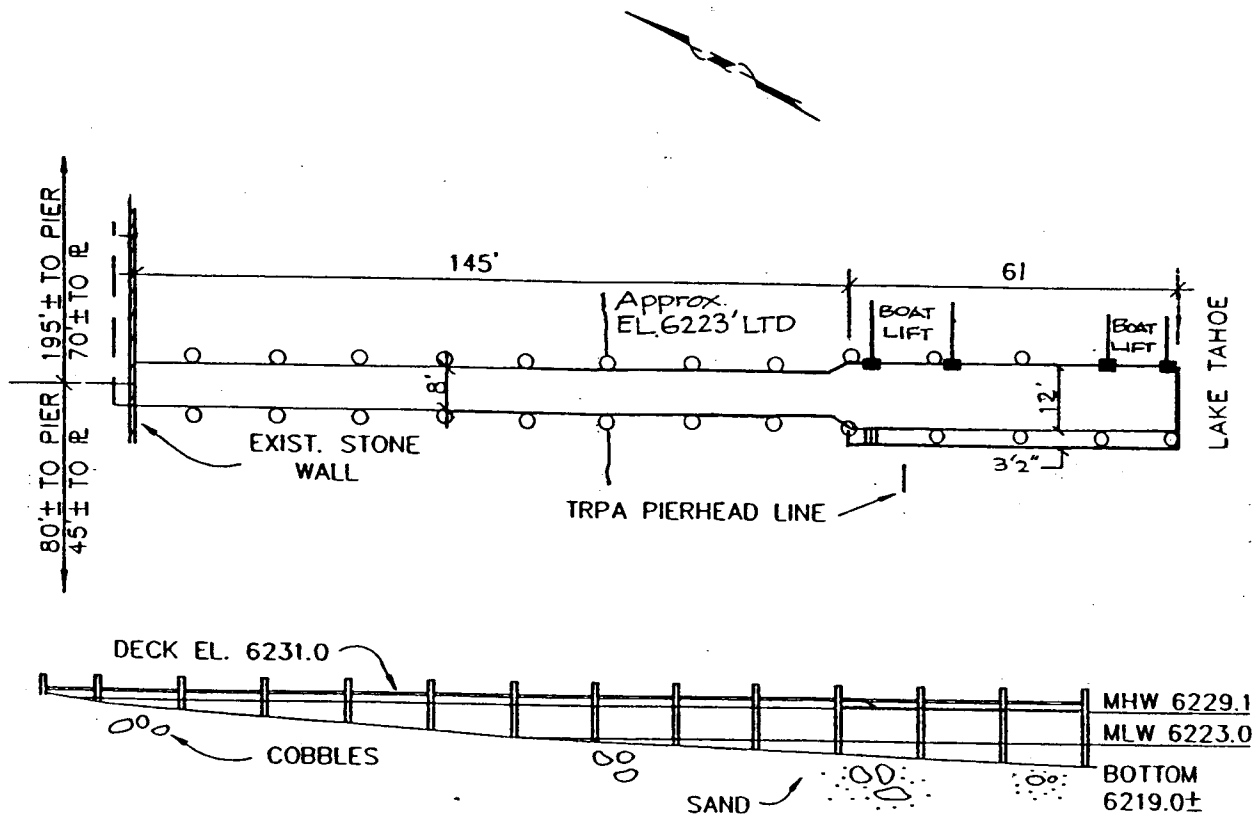
**AUTHORIZATION:**

AUTHORIZE TERMINATION OF RECREATIONAL PIER LEASE NO. PRC 3652.9, EFFECTIVE SEPTEMBER 1, 1996, ISSUED TO CLYDE R. GIBB AND DONNA JOAN GIBB AS TRUSTEES OF THE GIBB 1992 U/D/T DATED AUGUST 25, 1992, AND BRUCE J. POHLE AND SHARON POHLE, TRUSTEES OF THE BRUCE J. POHLE AND SHARON POHLE 1970 REVOCABLE TRUST AND APPROVED BY THE COMMISSION ON AUGUST 26, 1997.

AUTHORIZE ISSUANCE TO SAMUEL ORDWAY MILLS AND MARY DALSIN MILLS TRUSTEES OF THE MILLS FAMILY TRUST DATED AUGUST 30, 1990, AND BRUCE J. POHLE AND SHARON POHLE, TRUSTEES OF THE BRUCE J. POHLE AND SHARON POHLE 1970 REVOCABLE TRUST OF A TEN-YEAR RECREATIONAL PIER LEASE, BEGINNING JUNE 22, 2000, FOR CONTINUED USE AND MAINTENANCE OF AN EXISTING JOINT-USE PIER, TWO BOAT LIFTS AND FOUR MOORING BUOYS ON THE LAND SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF; NO MONETARY CONSIDERATION PURSUANT TO PUBLIC RESOURCES CODE SECTION 6503.5; LIABILITY INSURANCE WITH COVERAGE OF NO LESS THAN \$300,000.

NO SCALE

## SITE MAP

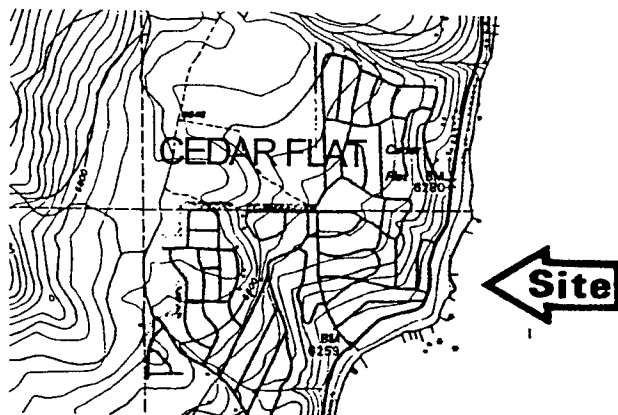


4170 and 4176 Ferguson Ave.

NO SCALE

## LOCATION MAP

Lake  
Tahoe



This Exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit A

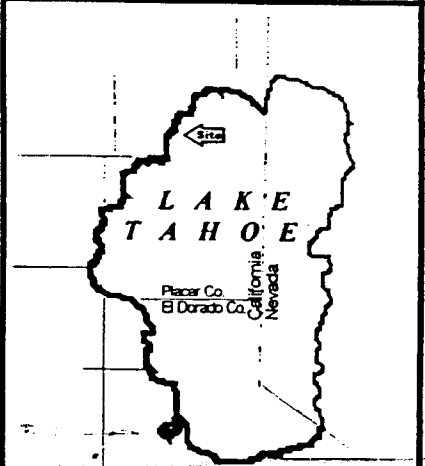
PRC 3652.9

APNs 092-200-025,026

Lake Tahoe

PLACER COUNTY

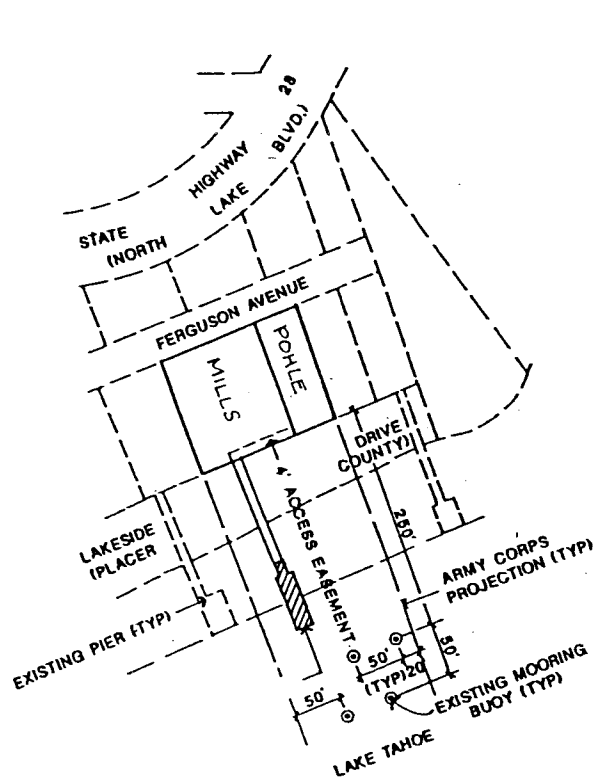
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MINUTE PAGE

NO SCALE

## SITE MAP

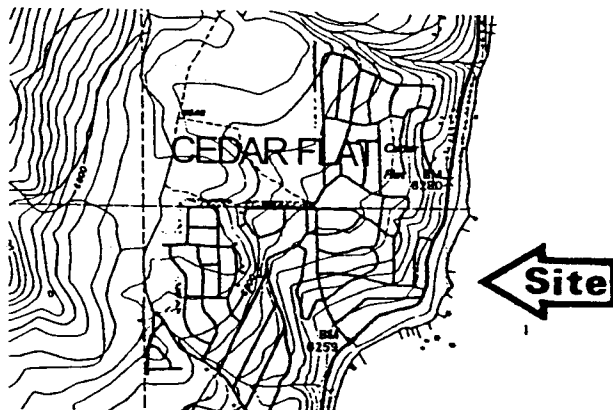


4170 and 4176 Ferguson Ave.

NO SCALE

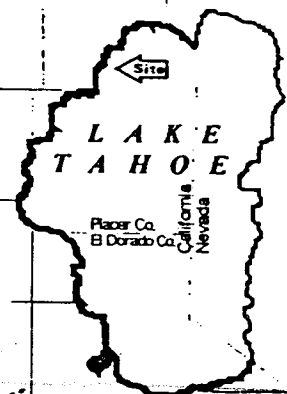
## LOCATION MAP

*Lake  
Tahoe*



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**Exhibit A**  
PRC 3652.9  
APNs 092-200-025,026  
Lake Tahoe  
PLACER COUNTY  
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